(40)

WILLIAMS JESSIE M
77 GEORGETOWN 2435

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ACTION AFA-14
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FM AMEMBASSY GEORGETOWN
TO SECSTATE WASHDC 5418
UNCLAS GEORGETOWN 2435
E.O. 11652: N/A
TAGS: CASC: (STOEN, JOHN)
SUBJECT: M/M JOHN STOEN
REF: GEORGETOWN 2363

1. PEOPLE'S TEMPLE ATTORNEY LIONEL LUCKHOO INFORMED CONSUL ON SEPTEMBER 30 THAT HEARINGS HAVE BEEN COMPLETED ON MOTION REPORTED REFTEL. LUCKHOO EXPECTED THAT JUDGE WILL HEAR HIS CLOSING ARGUMENT AND RENDER HIS DECISION LATE THIS WEEK.

2. LUCKHOO STATED HE EXPECTS THAT JUDGE WILL RULE IN HIS FAVOR. HE CLAIMED THAT HE HAS NEVER SEEN A CASE WITH SO MANY LEGAL ERRORS. LUCKHOO CITED THE FOLLOWING AS REASONS. (A) THE LACK OF PERSONAL SERVICE ON JONES. JEFFREY HAAS' (MRS. STOEN'S U.S. ATTORNEY) AFFIDAVIT ATTESTING TO JONES' ATTEMPTS TO AVOID SERVICE WAS NOT SPECIFIC ENOUGH. THE AFFIDAVIT DID NOT IDENTIFY THE POLICE OFFICERS WHO PURPORTEDLY SAW JONES AT THE FARM EARLIER THE SAME DAY. THEREFORE, IT CANNOT BE PROVEN THAT JONES WAS TRYING TO AVOID SERVICE. (B) THE ORDER TO ARREST JOHN STOEN HAS NO BASIS OF LEGALITY UNDER GUYANESE LAW BECAUSE THIS IS NOT DONE IN GUYANA. (C) THE QUESTIONABLE ADMISSABILITY AND ENFORCEABILITY OF THE CALIFORNIA COURT

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ORDER IN GUYANA AWARDING GRACE STOEN CUSTODY OF HER CHILD WHEN NEITHER PARENT IS PRESENT IN GUYANA. (D) THE HASTE IN WHICH THE WHOLE JUDICIAL PROCEDURE WAS CARRIED OUT WAS VERY UNUSUAL UNDER GUYANESE LAW.

3. WHETHER LUCKHOO'S ARGUMENTS WILL CONVINCE THE JUDGE IS UNKNOWN AT THIS TIME. HE IS A FORMIDABLE OPPONENT WHO WILL NO DOUBT PRESENT HIS CASE EFFECTIVELY. LUCKHOO CONFIDED TO CONSUL THAT HE WAS CERTAIN HE WOULD WIN BECAUSE CASE HAS BEEN MISMANAGED BY JUDGE IN HIS HASTE TO RESOLVE MATTER QUICKLY.

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ENDORSE EXISTING MARKINGS ☐
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